

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN MARRICONE,	:	
	:	
Plaintiff,	:	
	:	
v.	:	No. 09-CV-1123
	:	
EXPERIAN INFORMATION	:	
SOLUTIONS, INC., et. al.,	:	
	:	
Defendants	:	
	:	

**ORDER**

**AND NOW**, this \_6<sup>th</sup>\_\_ day of October 2009, it is **ORDERED** that Defendant's Motion to Dismiss is DENIED in part, without prejudice to Defendants, and GRANTED in part:

- Defendants' motion to dismiss Plaintiff's FCRA claims is **DENIED**, without prejudice to raise at a later stage in the litigation.
- Defendants' motion to dismiss Plaintiff's defamation claim is **DENIED**, without prejudice to raise at a later stage in the litigation and to raise any preemption issues regarding state law tort claims.
- Defendants' motion to dismiss Plaintiff's invasion of privacy claim is **GRANTED**.
- Defendants' motion to dismiss Plaintiff's requests for equitable relief is **DENIED**, without prejudice to raise at a later stage in the litigation.

s/Anita B. Brody

---

ANITA B. BRODY, J.

Copies **VIA ECF** on \_\_\_\_\_ to:

Copies **MAILED** on \_\_\_\_\_ to: